

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Shah et al.  
Application No: 09/844,717  
Filing Date: April 27, 2001  
Examiner: Not Yet Assigned  
Group Art No: 2131  
Attorney Docket Number: 68110328.714  
For: Database Security

*Via Facsimile 703/308-5077  
Mail Stop 16  
Commissioner of Patents  
P.O. Box 1450  
Arlington, VA 22313-1450*

**REQUEST FOR FEE REFUND**

Dear Sir:

Applicants hereby request a refund for electronic payment of an Information Disclosure Statement and state as follows:

1. On May 29, 2003, Applicants electronically filed an Information Disclosure Statement in the above-identified patent application pursuant to 37 CFR §1.97(b) as evidenced by the electronic Acknowledgement Receipt attached as Exhibit 1.
2. 37 CFR §1.97(b) states:

An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);

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Attorney Docket No.: 68110328.714

- (2) Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- (3) Before the mailing of a first Office action on the merits; or
- (4) Before the mailing of a first Office action after the filing of a request for continued examination under §1.114.

3. No fee is required under 37 CFR §1.97(b).
4. No Office action has been issued as evidenced by the File Contents History attached as Exhibit 2.

5. At the time the electronic submission was filed, the ePAVE program would not accept the validation of the submission without the submission of fee information. Applicants submitted Deposit Account Information including the following comments:

This Information Disclosure Statement is being filed electronically *prior to the receipt of the first office action*. Applicants do not believe that any fees are due at this time. Applicants believe that the fee in the amount of \$180 being charged for this electronic submission is in error. Applicants respectfully request that this charge be reviewed prior to withdrawal from the deposit account. However, the Commissioner is hereby authorized to withdraw the fee if required.

6. A withdrawal from Deposit Account No. 13-0480 in the amount of \$180 was made on May 29, 2003 as evidenced by the Deposit Account Statement attached as Exhibit 3.

7. The withdrawal in the amount of \$180 from Deposit Account No. 13-0480 was in error as no fee was required for the submission of the Information Disclosure Statement pursuant to 37 CFR 1.97(b)(3).

Applicants respectfully request a refund in the amount of \$180 be credited to Deposit Account 13-0480, Attorney Docket No. 68110328.714. Applicants believe that no fees are required in connection with this filing. However, to the extent that fees are required, the

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Attorney Docket No.: 68110328.714

Commissioner is authorized to charge those fees, or credit any overpayment to Account No. 13-0480, Attorney Docket No. 68110328.714.

Should the Examiner have any questions with regard to this refund, a telephone conference with the below-signed attorney of record is respectfully requested.

Respectfully submitted,

  
\_\_\_\_\_  
Brian C. McCormack  
Reg. No. 36,601

ATTORNEY FOR APPLICANT

Date: June 4, 2003  
BAKER & MCKENZIE  
2001 Ross Avenue, Suite 2300  
Dallas, TX 75201  
214/978-3007  
214/978-3099 fax

PTO/SB/97 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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## Certificate of Transmission under 37 CFR 1.8

703/308-5077

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on 6/4/2003

Date



Signature

Brian C. McCormack, Reg. No. 36,601

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Request for Refund for Application S/N 09/844,717

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Exhibit 1

**UNITED STATES PATENT AND TRADEMARK OFFICE  
ACKNOWLEDGEMENT RECEIPT****Electronic Version 1.1  
Stylesheet Version v1.1.1**

<b>Title of Invention</b>	<b>DATABASE SECURITY</b>									
<b>Submission Type:</b>	<b>Information Disclosure Statement</b>									
<b>Application Number:</b>	09/844717									
<b>EFS ID:</b>	41148									
<b>Server Response:</b>	<table border="1"><thead><tr><th><b>Confirmation Code</b></th><th><b>Message</b></th></tr></thead><tbody><tr><td>ISVR1</td><td>Successfully received the submission</td></tr><tr><td>ICON1</td><td>9551</td></tr><tr><td>ISYS5</td><td>#Filename= N/A BusinessRule= Validation System/Function Call Information. #Supporting MsgServer unable to validate the Confirmaton/Application numbers at this time. They will be checked by PTO personnel later.</td></tr></tbody></table>		<b>Confirmation Code</b>	<b>Message</b>	ISVR1	Successfully received the submission	ICON1	9551	ISYS5	#Filename= N/A BusinessRule= Validation System/Function Call Information. #Supporting MsgServer unable to validate the Confirmaton/Application numbers at this time. They will be checked by PTO personnel later.
<b>Confirmation Code</b>	<b>Message</b>									
ISVR1	Successfully received the submission									
ICON1	9551									
ISYS5	#Filename= N/A BusinessRule= Validation System/Function Call Information. #Supporting MsgServer unable to validate the Confirmaton/Application numbers at this time. They will be checked by PTO personnel later.									
<b>First Named Applicant:</b>	Arun Shah									
<b>Attorney Docket Number:</b>										
<b>Timestamp:</b>	2003-05-29 12:41:45 EDT									
<b>From:</b>	us									
<b>File Listing:</b>	<table border="1"><thead><tr><th><b>Doc. Name</b></th><th><b>File Name</b></th><th><b>Size (Bytes)</b></th></tr></thead><tbody><tr><td>us-fee-sheet</td><td>Brio714-usfees.xml</td><td>1404</td></tr></tbody></table>		<b>Doc. Name</b>	<b>File Name</b>	<b>Size (Bytes)</b>	us-fee-sheet	Brio714-usfees.xml	1404		
<b>Doc. Name</b>	<b>File Name</b>	<b>Size (Bytes)</b>								
us-fee-sheet	Brio714-usfees.xml	1404								

Exhibit 1

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	Total files size	109831
Message Digest:	ca642cba30ce4b0774b87a9dfe4e8539815cac46	
Digital Certificate Holder	cn=Brian Charles McCormack,ou=Registered Attorneys,ou=Patent	
Name:	and Trademark Office,ou=Department of Commerce,o=U.S.	
	Government,c=US	

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Exhibit 2

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**PATENT APPLICATION INFORMATION RETRIEVAL**

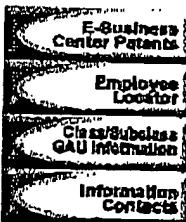
PAIR

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## Other Links



Search results for application number: 09/844,717			
Filing or 371(c) Date:	04-27-2001	Class / Sub-Class:	713/200,000
Issue Date of Patent:		Location:	REPOSITORY CENTRAL FILES OVER FOR TC'S 1700, 2100, 2600, 2800 &
Examiner Name:	HAYES, GAIL O	Status:	Docketed New Case - Ready for Exam
Group Art Unit:	2131	Attorney Docket Number:	68110328.714
Earliest Publication No:	US 2002-0016924 A1	Patent Number:	-
Earliest Publication Date:	02-07-2002	Customer Number:	23562
Confirmation Number:	9551		

Continuity Data

Publication Review

Full-text and Images

## File Contents History

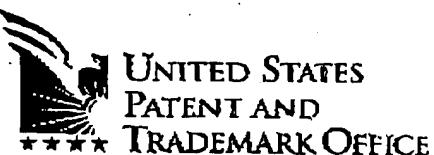
Number	Date	Contents Description
12	12-23-2002	Information Disclosure Statement (IDS) Filed
11	10-04-2002	Information Disclosure Statement (IDS) Filed
10	05-14-2002	Case Docketed to Examiner in GAU
9	11-26-2001	Preliminary Amendment
8	08-24-2001	Preliminary Amendment
7	08-24-2001	Information Disclosure Statement (IDS) Filed
6	10-15-2001	Application Dispatched from OIPE
5	10-15-2001	Application Is Now Complete
4	06-25-2001	Incomplete Application under Rule 53(b) - Filing Date Assigned
3	06-22-2001	Correspondence Address Change
2	05-07-2001	Application Scanned
1	04-27-2001	Initial Exam Team nn

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## Deposit Account Statement

*Exhibit 3*

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**Deposit Account Statement****Requested Statement Month:**

May 2003

**Deposit Account Number:**

130480

**Name:**

BAKER &amp; MCKENZIE

**Attention:**

ATTN: JOHN G FLAIM

**Address:**

2001 ROSS AVENUE

**City:**

DALLAS

**State:**

TX

**Zip:**

75201

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
05/13	340	PCT/US03/14269	67411811.1074PCT 1601		\$240.00	\$6,250.00
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START BALANCE		SUM OF CHARGES	SUM OF REPLENISH	END BALANCE		
\$6,490.00		\$3,396.00	\$0.00	\$3,094.00		

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